

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, MARCH 21, 1983  
AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Cleator at 2:10 p.m. Council Member Jones introduced as his special guest, thirteen-year old David Gieger, a student at Pacific Beach Jr. High School. Deputy Mayor Cleator adjourned the meeting at 6:00 p.m. to meet in Closed Session on Tuesday, March 22, 1983 at 8:30 a.m. in the twelfth floor conference room regarding pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor-vacant.
  - (1) Council Member Mitchell-present.
  - (2) Council Member Cleator-present.
  - (3) District 3-vacant.
  - (4) Council Member Jones-present.
  - (5) Council Member Struiksma-present.
  - (6) Council Member Gotch-present.
  - (7) Council Member Murphy-present.
  - (8) Council Member Martinez-present.
- Clerk-Abdelnour (jb)

FILE LOCATION:  
MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:  
Mayor-vacant.  
Council Member Mitchell-present.  
Council Member Cleator-present.  
District 3-vacant.  
Council Member Jones-present.  
Council Member Struiksma-present.  
Council Member Gotch-present.  
Council Member Murphy-present.  
Council Member Martinez-present.

ITEM-10: INVOCATION

Invocation was given by Rev. Darold Jones, Pastor of the  
First Church of God.

FILE LOCATION:  
MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Jones.

FILE LOCATION:  
MINUTES

ITEM-30: (R-83-1500) ADOPTED AS RESOLUTION R-258100

Matter of a presentation to the City Council by Marie Hitchcock, Ambassador of Kindness for the San Diego County Humane Society.

FILE LOCATION:  
MEET

COUNCIL ACTION: (Tape location: A040-080).

MOTION BY MITCHELL TO ADOPT A RESOLUTION SUPPORTING MARIE HITCHCOCK'S EFFORTS TO MAKE PEOPLE AWARE OF THE DANGER TO ANIMALS

GIVEN TO CHILDREN AS PETS AT EASTER TIME. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-  
vacant, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-50: (O-83-184) ADOPTED AS ORDINANCE O-15917 (New Series)

Setting aside and dedicating certain property in the Balboa Park area for public park purposes.

(District-8. Introduced on 3/7/83. Council voted 8-0.

Mayor - vacant.)

FILE LOCATION:

DEED F-1794

COUNCIL ACTION: (Tape location: A094-098).

CONSENT MOTION BY MITCHELL TO DISPENSE WITH THE READING AND ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor- vacant.

\* ITEM-100: (R-83-1248) ADOPTED AS RESOLUTION R-258101

Awarding a contract to Benz Engineering, Inc. for the purchase of two M-D pneumatic rotary blower packages, for a total cost of \$15,586.24, including tax and terms.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A099-150).

CONSENT MOTION BY MITCHELL TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-101: (R-83-1252) ADOPTED AS RESOLUTION R-258102

Inviting bids for construction of San Ysidro Branch Library Expansion on Work Order No. 118105; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of not to exceed \$253,500 from Capital Outlay Fund 30245, CIP-35-053, San Ysidro Branch Library Expansion for said project and related costs; authorizing the Auditor and Comptroller upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. BID-4982

(San Ysidro Community Area. District-8.)

CITY MANAGER REPORT:

On February 8, 1982, Council approved an agreement with RWA Environmental Group, Architects, for design and construction services in connection with the San Ysidro Branch Library Expansion project. Plans and specifications are now complete and ready to advertise for bids. This project will remodel the existing 1,300 square foot library and expand the building to a total of 4,000 square feet. The San Ysidro Community Planning and Development Group has reviewed and approved the project.

FILE LOCATION:

W. O. 118105

COUNCIL ACTION: (Tape location: A099-150).

CONSENT MOTION BY MITCHELL TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-102: (R-83-1421) ADOPTED AS RESOLUTION R-258103

Approving the final subdivision map of Bella Vista Manor, a one-lot subdivision located southeasterly of Del Sur Boulevard and Beyer Boulevard.

(San Ysidro Community Area. District-8.)

FILE LOCATION:

SUBD Bella Vista Manor

COUNCIL ACTION: (Tape location: A099-150).

CONSENT MOTION BY MITCHELL TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-103: (R-83-1413) ADOPTED AS RESOLUTION R-258104

Designating March 25, 1983 as the date upon which all property in Phase IV of the Gaslamp Quarter Underground Utility District must be ready to receive underground utility service and April 1, 1983 as the date for removal of all overhead utility facilities.

(Centre City Community Area. District-8.)

**CITY MANAGER REPORT:**

The underground utility district for the Gaslamp Quarter was created by City Council on March 18, 1980. The resolution creating the district left the matter of actual dates for converting services and removal of overhead facilities to be established later. In order to accommodate and accelerate the redevelopment within the Gaslamp Area, a coordinated agreement with all parties involved divided this district into phases. The requested action concerns only the fourth phase of seven anticipated phases in the Gaslamp Quarter. The undergrounding in Phase IV includes: a portion of "K" Street between Fifth and Sixth Avenues, Island Street between Fourth and Fifth Avenues, and a portion of Fifth Avenue south of "K" Street.

The requested action will set March 25, 1983 as the customer ready date which will require that, upon this date, all affected customers must have their services prepared to receive underground service from the new underground system and will also establish April 1, 1983 as the pole removal date which will require that, upon this date, all overhead facilities must be removed. There are only three affected customers in Phase IV of the Gaslamp Quarter District. They have all been notified of the proposed customer ready date and are capable of complying with the proposed date. The utility companies have concurred with the proposed dates.

**FILE LOCATION:**

STRT K-116

COUNCIL ACTION: (Tape location: A099-150).

CONSENT MOTION BY MITCHELL TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-104: (R-83-1398) ADOPTED AS RESOLUTION R-258105

Vacating a water easement affecting Parcel 1 of Parcel Map PM-12312.

(Located on the south side of El Cajon Boulevard east of Rolando Boulevard and Amherst Street. Mid-City Community Area. District-7.)

**CITY MANAGER REPORT:**

In 1932 the City acquired, at no cost, a six-foot- wide easement for water main purposes in portions of Tract "C" and Tract 33 of La Mesa Colony. The easement is now within Parcel Map PM-12312, which is located on the south side of El Cajon Boulevard, east of Rolando Boulevard. The water main was subsequently installed in another location, and the easement has never been used. The owner of the property has applied for abandonment of the encumbrance. Appropriate City departments have reviewed and approved this request. There is no present or future need to retain the easement. It is, therefore, recommended that Council pass a Resolution of Abandonment.

**FILE LOCATION:**

DEED F-1792

**COUNCIL ACTION:** (Tape location: A099-150).

**CONSENT MOTION BY MITCHELL TO ADOPT.** Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-105: (R-83-1123) ADOPTED AS RESOLUTION R-258106

Authorizing the City Auditor and Comptroller to escheat to the General Fund \$435.62 in unclaimed monies received from property owners but not paid out to bondholders due to non-presentation of coupons, which were advertised to be escheated in June, 1981.

**CITY MANAGER REPORT:**

Section 50050 of the Government Code provides that money which is not the property of a local agency and which remains unclaimed in its treasury or in the official custody of its officers for three years is the property of the local agency after notice if no verified complaint is filed and served. At anytime after the expiration of the three-year period, the treasurer of the local agency may cause a notice to be published once a week for two successive weeks in a newspaper of general circulation published in the local agency. In June, 1981 the City Treasurer advertised escheatment of unclaimed monies.

These unclaimed monies are bond payments made by property owners

not paid out to bondholders because of non-presentation of bonds and/or coupons. Some of the bonds or coupons are either lost, misplaced or destroyed, and to get an indemnity bond would cost more than the amount of the bond or coupon. The owners of the other monies never claimed after the required notice. Section 50053 states that when any such money becomes the property of a local agency and is in a special fund, the legislative body may transfer it to the General Fund.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A099-150).

CONSENT MOTION BY MITCHELL TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-106: (R-83-1363) ADOPTED AS RESOLUTION R-258107

Authorizing the City Auditor to transfer \$21,000 from Fund 18516, Dept. 5965, Org. 6507 to Fund 18516, Dept. 5965, Org. 6521, for the purpose of funding one associate traffic engineer to conduct a traffic analysis in the Park North-East Community.

(Park North-East Community Plan Area. Districts-3 and 8.)

CITY MANAGER REPORT:

Construction of the North Park Recreation Center Senior Citizen's Facility left a residual CDBG fund of \$71,000. On August 16, 1982, City Council directed \$40,000 of these funds be committed to the revision of the Park North-East Community Plan, and that \$10,000 be committed to the development of a revitalization program in the Park North-East area. This action left \$21,000 in uncommitted funds.

The proposed transfer of funds will provide for a traffic study for the Park North-East Community Plan area by projecting traffic to the year 2000 and providing recommendations on a street system and transit needs to accommodate the community's needs. The work is necessary at this time in order to support the Community Plan revision efforts now under way in this area and represents an update from the 1969 traffic studies.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A099-150).

CONSENT MOTION BY MITCHELL TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-107: (R-83-1362) ADOPTED AS RESOLUTION R-258108

Authorizing the execution of an agreement with Leighton and Associates to update the seismic safety element of the City's General Plan; authorizing the expenditure of the sum of \$7,383 from General Fund 100; \$10,000 from Water Operating Fund 41500; and \$10,000 from Trust Fund 63021 for the above program.

(See City Manager Report CMR-83-79.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A099-150).

CONSENT MOTION BY MITCHELL TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-108: (R-83-1361) ADOPTED AS RESOLUTION R-258109

Authorizing the execution of a cooperative agreement with the State of California to widen Clairemont Mesa Boulevard at Interstate 15 and construct a traffic signal at Murphy Canyon Road and Clairemont Mesa Boulevard.

(Serra Mesa and Tierrasanta Community Areas. Districts-5 and 7.)

CITY MANAGER REPORT:

This year the State of California's Department of Transportation (Caltrans) is completing plans for the construction of a portion of Interstate Route 15 as a freeway between 0.5 miles north of State Route 274 (Balboa Avenue) and State Route 163. The City now has an opportunity to enter into a cooperative agreement with the State in order to widen Clairemont Mesa Boulevard, and construct a traffic signal at the intersection of Murphy Canyon Road and Clairemont Mesa Boulevard. Improvements would include constructing an additional eastbound traffic lane between Chesapeake Drive and Murphy Canyon Road (developer funded), and widening from a two-lane to a four-lane roadway from the I-15 interchange east to Antigua Boulevard (City funded).

The City funded widening project had been programmed in the FY 1983 CIP using Facility Benefit Assessment (FBA) funds. Due to the continued slowdown in the construction industry, FBA funds are not currently available. Since it is not possible to use future FBA revenues to reimburse costs, it is necessary to make funds available from other sources in order to enter into a cooperative agreement at this time. The major share of funding is proposed from the University Heights Alley (CIP-52-309), which was scheduled in FY

1983 but was cancelled as the improvements have been completed by the developer. The City will also share the costs of the traffic signal at the rate of 25 percent City, 75 percent developer.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A099-150).

CONSENT MOTION BY MITCHELL TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-109: (R-83-1323) ADOPTED AS RESOLUTION R-258110

Authorizing the execution of a ten year lease agreement with Donald L. Abrego and/or Donna L. Abrego for the operation of Presidio Hills Public Golf Course, at a minimum annual rent of \$6,500 or eleven percent of gross, whichever is greater.

(See City Manager Report CMR-83-65. Located in a portion of Presidio Park bounded by Taylor, Jackson, Mason and Juan Streets in Old San Diego Community Area. District-2.)

COMMITTEE ACTION: Reviewed by PFR on 3/2/83. Recommendation to adopt the Resolution. Districts 4, 7 and 8 voted yea. Districts 1 and 6 not present.

FILE LOCATION:

LEASE Donald L. Abrego and/or Donna L. Abrego

COUNCIL ACTION: (Tape location: A099-150).

CONSENT MOTION BY MITCHELL TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-110: (R-83-1390) ADOPTED AS RESOLUTION R-258111

Authorizing the execution of a five year lease agreement with Pacific Southwest Realty Company for 2,220 rentable square feet of space on the 9th floor of the Security Pacific Plaza Building, at a rental of \$3,263.40; authorizing the appropriation of a sum not to exceed \$39,160.80 for the first year's rent.

(Centre City Community Area. District-8.)

CITY MANAGER REPORT:

The City's Retirement Office has occupied 1,834 square feet of the 9th floor of the Security Pacific Plaza under a sublease with the Risk Management Department. The lease provides for a rental rate of 91 cents per square foot. That lease expired on November 30, 1982, but was placed on a holdover basis pending a decision on the



need by Risk Management for a larger area. Risk Management will continue leasing on a holdover basis pending the move of San Diego Data Processing Corporation from the 10th floor of the building into offices in the Rose Canyon area. At that time, Risk Management will terminate its holdover status and move into the 10th floor space vacated by the corporation.

The Retirement Office, however, will continue occupying its current space on the 9th floor and will lease 2,220 rentable square feet for a term of five years. The term rentable includes a pro rata share of common use areas such as rest rooms and hallways, which the expired lease excluded. The new rental rate will be \$1.47 per square foot per month for the first year. Annual adjustments for each of the remaining four years will be based on the pro rata share of the building's operating costs. A recent survey by staff reveals that the rental rate for comparable downtown office space ranges from \$1.50 to \$2.08 per square foot. The proximity of the building to the Concourse and savings of relocation costs were additional considerations for this agreement.

**FILE LOCATION:**

LEASE Pacific Southwest Realty Company

**COUNCIL ACTION:** (Tape location: A099-150).

**CONSENT MOTION BY MITCHELL TO ADOPT.** Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

**\* ITEM-111: (R-83-1275) ADOPTED AS RESOLUTION R-258112**

Authorizing the execution of a lease agreement with David W. Weir and Lola L. Weir, dba Balboa Park Railroad, for operation of the miniature railroad located on City-owned property within Balboa Park, for a term of ten years at a minimum annual rental of \$18,000 or twenty-five percent of gross income from operations of the miniature train and ten percent of gross income from sale of merchandise, whichever is greater, on an annual basis.

(See City Manager Report CMR-83-57. Balboa Park Community Area. District- 8.)

**COMMITTEE ACTION:** Reviewed by PFR on 3/2/83. Recommendation to adopt the Resolution. Districts 4, 7 and 8 voted yea. Districts 1 and 6 not present.

**FILE LOCATION:**

LEASE David W. Weir and Lola L. Weir

**COUNCIL ACTION:** (Tape location: A099-150).

**CONSENT MOTION BY MITCHELL TO ADOPT.** Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, District

3-vacant, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea,  
Martinez-yea, Mayor-vacant.

\* ITEM-112: (R-83-1389) ADOPTED AS RESOLUTION R-258113

Authorizing the execution of a first amendment to lease agreement with R.E. Hazard, Jr., Inc. for a portion of Old San Diego Lot 356, consisting of approximately 0.66 of an acre, for storage of construction equipment and vehicle parking, for an extended period of one year beginning April 1, 1983 and ending March 31, 1984, at a revised rental of \$437 per month.

(Linda Vista Community Area. District-6.)

**CITY MANAGER REPORT:**

The City of San Diego currently leases to R.E. Hazard, Jr., Inc., 0.66 of an acre of Old San Diego Lot 356 between Gaines and Riley Streets, north of Friars Road. The two-year lease will expire on March 31, 1983. The premises are used by lessee for storage of construction equipment, vehicle parking, and driveway purposes. The initial fair market rental of \$400 per month, established in 1981, was raised by CPI adjustment in April 1982 to \$428 per month for the second year of the lease.

Lot 356 and adjacent Pueblo Lot 1100 comprising a single parcel (Site 119) totaling 3.28 acres have previously been designated by Council for public facilities for the Police Department. Pueblo Lot 1100 (2.62 acres) now serves as the temporary site for the Western Division Police Station. It is estimated that the permanent substation facilities to be constructed at Napa and Friars Road will be completed by June 1984. The Police Department's use of Site 119 will be ended by July 1, 1984.

Since the temporary use of the major portion of the site by the Police Department will continue for at least another year, a 12-month extension of the temporary parking area lease of Lot 356 to R.E. Hazard, Jr., Inc. is recommended. The agreement may be cancelled by either party upon 30 days notice. The rent for the extension has been increased by CPI adjustment to \$437 per month. Thereafter, the entire Site 119 will be available for consideration of other uses.

**FILE LOCATION:**

LEASE R. E. Hazard, Jr., Inc.

**COUNCIL ACTION:** (Tape location: A099-150).

CONSENT MOTION BY MITCHELL TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-113: (R-83-1366) ADOPTED AS RESOLUTION R-258114

Awarding a contract to Wallace Masonry, Inc., for the construction of Torrey Pines Road sound attenuator wall from Glenbrook Way to La Jolla Scenic Drive. (1911 Improvement Act.) (La Jolla Community Area. District-1.)

CITY MANAGER REPORT:

Bids were opened January 13, 1983 and the lowest responsive bid of four bids received (25 bid packages issued) is 2 percent under the estimate of \$76,955. Bidders checked results are as follows:

Contractors	Bid Amount
Brisson Masonry	\$54,477.63 (Withdrew Bid)
Wallace Masonry, Inc.	\$75,290.89 (2nd Low Bid)
Dyno Construction, Inc.	\$84,197.05
KTA Construction, Inc.	\$93,548.00

This project was initiated by a 68.5 percent property-owner petition and consists of the construction of an eight-foot high sound attenuator wall along the east side of Torrey Pines Road from approximately 400 feet northerly of Glenbrook Way to La Jolla Scenic Drive.

FILE LOCATION:

STRT D-2218

COUNCIL ACTION: (Tape location: A099-150).

CONSENT MOTION BY MITCHELL TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksmay-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-114: (R-83-1329) ADOPTED AS RESOLUTION R-258115

Authorizing the City Manager, the Assistant to the City Manager and the Financial Management Director to execute applications and documents for the purpose of obtaining financial assistance under the Federal Civil Defense Act of 1950, as amended, and under the Disaster Relief Act for and on behalf of the City of San Diego.

CITY MANAGER REPORT:

The federal and state governments request that the City of San Diego designate several City officials who are authorized to execute applications and documents for the purpose of obtaining financial assistance under the Federal Civil Defense Act of 1950 as amended (50 App. U.S.C., Sections 2251-2297), and under the Disaster Relief Act (Public Law 288, 93rd Congress). Such funds have been received by the City to support emergency planning and for restoration of public facilities following floods in 1978 and 1980,

and are being sought for restoration of public facilities following floods in January 1983, on a 75 percent reimbursement basis. The three persons to be authorized to execute applications and documents are: Ray T. Blair, Jr. - City Manager; Jerome Groomes - Assistant to the City Manager; and Libby Anderson - Financial Management Director. (This resolution will update the signatures from a previous Council resolution.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A099-150).

CONSENT MOTION BY MITCHELL TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-150: (R-83-1337) ADOPTED AS RESOLUTION R-258116

Authorizing and directing the City Manager to proceed with the following actions related to Otay Mesa development: 1) Proceed immediately with a plan for appropriate sewer facilities and related financing using City staff and consultants as necessary; 2) Enter into discussions with the Otay Municipal Water District to reach a jurisdiction agreement on each agency's responsibility for providing water/sewer service; 3) Begin final design of facility improvements to Brown Field, including industrial/commercial development envisioned in the Brown Field Master Plan; 4) Pursue Federal assistance for funds which will assist in any way with infrastructure development on the Mesa.

(District-8. See City Manager Report CMR-83-67.)

COMMITTEE ACTION: Reviewed by RULES on 3/7/83. Recommendation to adopt the Resolution. Districts 2, 5 and 7 voted yea. District 3 not present. Mayor - vacant.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: E328-387).

MOTION BY MARTINEZ TO ADOPT. Second by Struiksma. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-151: (R-83-1420) ADOPTED AS RESOLUTION R-258117

Directing the Intergovernmental Relations Department to seek an administrative clarification of Title 24, Handicapped Access

Regulations; declaring that in the event the Intergovernmental Relations Department is unable to obtain an administrative clarification satisfactory to the Engineering and Development Director and City Attorney, it shall then pursue legislation to exempt facilities located within the public right-of-way similar to the draft legislation.

(See Intergovernmental Relations Department Report  
IRD-83-10.)

COMMITTEE ACTION: Reviewed by RULES on 3/7/83. Recommendation to adopt the Resolution. Districts 2, 5 and 7 voted yea. District 3 not present. Mayor - vacant.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: E388-410).

Motion by Gotch to suspend the rules and extend the meeting time past 5:30 p.m. Second by Jones. Passed. Yeas: 1,2,4,5,6,7,8.  
Nays: None. Vacant: 3,M.

MOTION BY JONES TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksma-yea, Gotch- yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-152: (R-83-1415) CONTINUED TO MARCH 28, 1983

Expressing support for the adoption of Assembly Bill 498 (Cortese) and Senate Bill 322 (Craven), provided amendments are pursued which delete the required findings on the maintenance and preservation of agricultural land; expressing opposition for the adoption of Senate Bill 255 (Marks).

(See Intergovernmental Relations Department Report  
IRD-83-11.)

COMMITTEE ACTION: Reviewed by RULES on 3/7/83. Recommendation to adopt the Resolution. Districts 2, 5 and 7 voted yea. District 3 not present. Mayor - vacant.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: E415-537).

MOTION BY GOTCH TO CONTINUE ONE WEEK, AT HIS REQUEST. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-153: (O-83-140 Rev.) INTRODUCED, TO BE ADOPTED APRIL 4, 1983

Introduction of an Ordinance enacting limitations on posting

of political campaign signs in the public right-of-way and providing removal provisions.

(See City Manager Report CMR-83-27.)

COMMITTEE ACTION: Initiated by TLU on 2/14/83. Recommendation to introduce the Ordinance. Districts 2, 4, 5, 7 and 8 voted yea.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: E538-674).

MOTION BY MURPHY TO INTRODUCE THE ORDINANCE AND DIRECT THE CITY

CLERK TO PREPARE A PROPOSAL TO BE REFERRED TO THE TRANSPORTATION AND

LAND USE COMMITTEE FOR DISCUSSION ON HOW THE CITY IS GOING TO NOTIFY

ALL CANDIDATES RUNNING FOR OFFICE OF THE PROVISIONS OF THIS ORDINANCE. Second by Struiksma. Passed by the following vote:

Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-154: (R-83-1326) ADOPTED AS RESOLUTION R-258118

Amending Council Policy 800-3 regarding Assessment District Proceedings; rescinding Resolution R-212106 adopted November 27, 1974, regarding Council Policy 800-2.

(See City Manager Report CMR-83-49.)

COMMITTEE ACTION: Initiated by TLU on 2/14/83. Recommendation to adopt the Resolution. Districts 4, 7 and 8 voted yea. Districts 2 and 5 not present.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: F010-044).

MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksma-yea, Gotch- yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-155:

19830321

Two actions relative to variation of the State speed limit:  
(Dist. 7)

Subitem-A: (O-83-158) INTRODUCED, TO BE ADOPTED APRIL 4, 1983

Introduction of an Ordinance amending Chapter VII, Article 5, Division 17, of the San Diego Municipal Code by amending

Section 85.06 to provide for an appeal to the Transportation and Land Use Committee.

Subitem-B: (R-83-1332) ADOPTED AS RESOLUTION R-258119

After having reviewed the engineering and traffic survey conducted by the City Manager, finding that the appropriate speed limit on Santo Road south of Tierrasanta Boulevard is 35 miles per hour; directing the City Manager to selectively enforce the reduced speed for periods during its initial installation time.

COMMITTEE ACTION: Initiated by TLU on 2/14/83. Recommendation to introduce the Ordinance and adopt the Resolution. Districts 4, 5, 7 and 8 voted yea. District 2 not present.

COMMITTEE CONSULTANT REPORT:

On February 14, 1983 the Transportation and Land Use Committee heard a request by Council Member Murphy and residents of Tierrasanta to reduce the speed limit on Santo Road south of Tierrasanta Blvd. from 40 mph to 35 mph. The primary concern was for the safety of an exceptionally high number of students in four schools in the vicinity. It was noted that the posted speed limit on Santo Road north of Tierrasanta Blvd. and adjacent to Serra High School is 35 mph. The Committee was advised that while the California Vehicle Code authorizes local jurisdictions to vary the State speed limit under certain circumstances, the City's Municipal Code Sec. 85.06 specifies that the City Manager may determine appropriate variations of the speed limit based on an engineering and traffic investigation. The proposed ordinance will authorize the Council Committee on Transportation and Land Use to review and modify such determinations of the City Manager, subject to the permanent rules of the Council.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F045-051).

MOTION BY STRUIKSMA TO INTRODUCE SUBITEM-A AND ADOPT SUBITEM-B.

Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-156: (R-83-1423) ADOPTED AS RESOLUTION R-258120

Authorizing the City Manager to issue the following Request for Proposals (RFP's) regarding the Paramedic System:

- (1) Paramedic System Management
  - (2) Patient Billing and Collection Service
- (See City Manager Report CMR-82-515, PSS Committee

Consultant Analyses PSS- 83-4 and PSS-83-5.)

COMMITTEE ACTION: Reviewed by PSS on 2/23/83. Recommendation to adopt the Resolution. Districts 3, 4, 6 and 8 voted yea. District 1 not present.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: F052-085).

MOTION BY JONES TO ADOPT. Second by Struiksmā. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksmā-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-157: FAILED

The matter of low and high pressure sodium street lighting.

(See PSS Committee Consultant Analysis PSS-83-8.)

COMMITTEE ACTION: Reviewed by PSS on 2/23/83. Recommendation to hold a public hearing on March 21, 1983. Districts 1, 3 and 4 voted yea. Districts 6 and 8 voted nay.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A151-E134).

Testimony in favor of low-pressure sodium lights by Dr. Robert Brucato, Dr. Marvin Goldberger, Dr. Burt Nelson, Michael Anderson, George Johnson, Daniel Drobnis, Margaret Hughes, Virginia Ulirsch, Harding Smith, Louise Arnold, John Mood, Dr. Diana Worrall and Ira Singer.

Testimony in opposition to low-pressure sodium lights by Robert Kyle, Dennis Ainsworth, Carl Peterson, Jack Kabell, Alan Dickey, David Olson, Michael Mele, William Kellogg and Norman Schiewe.

By common consent, Council extended the time for testimony.

Motion by Mitchell to put the matter regarding low and high pressure sodium street lighting on the November ballot and let the people decide the issue. Second by Murphy. Failed. Yeas: 1,7. Nays: 2,4,5,6,8. Vacant: 3,M.

Motion by Mitchell to refer the matter regarding the 25-mile radius to the Public Services and Safety Committee. No second.

MOTION BY MITCHELL TO RESCIND THE PREVIOUS ACTION TAKEN BY COUNCIL IN NOVEMBER TO CONVERT TO LOW-PRESSURE SODIUM LIGHTS

AND

RETURN TO THE PREVIOUS ORDER BY COUNCIL IN 1979 TO GO TO HIGH PRESSURE SODIUM LIGHTS. Second by Murphy. Failed for lack of 5 affirmative votes as follows: Mitchell-yea, Cleator-nay, District 3-vacant, Jones-yea, Struiksmā-nay, Gotch-nay, Murphy-yea, Martinez-nay, Mayor-vacant.



ITEM-200: (R-83-1397) ADOPTED AS RESOLUTION R-258121

Vacating a portion of Bachman Place north of Arbor Drive adjacent to Blocks 12 and 13 of Fifth Street Addition, Map-577, and Parcel 2 of Map-12168, all within the boundaries of the final Parcel Map (TM-82-0483), to facilitate development of their property under the procedure for the summary vacation of streets and public service easements by City Council resolution where a portion of a street or highway lies within property under one ownership and does not continue through such ownership or end touching property of another; this resolution shall not become effective unless and until the final Parcel Map (TM-82-0483) has been approved and recorded; this resolution shall not become effective unless and until an engineering permit to construct a drain facility within the right of way to be vacated has been issued; declaring that in the event either or both of the above conditions have not been met within five years following the date of this resolution, this resolution shall be and become void and of no further force or effect; directing the City Engineer to advise the City Clerk of the approval of the aforementioned Parcel Map and the issuance of the aforementioned engineering permit.

(A parcel map is required. Uptown Medical Complex Community Area. District-2.)

**CITY MANAGER REPORT:**

The subject right-of-way was dedicated by subdivision in 1889. The Regents of the University of California have petitioned for the vacation, as abutting property owner, to facilitate construction of a parking structure to serve their Medical Center. The 80-foot-wide right-of-way is unimproved but contains a water service. Provisions have been made to abandon this service. Bachman Place right-of-way north of Arbor Drive drops off steeply and terminates in Bachman Canyon. It is not feasible to improve the road; thus through traffic circulation is precluded. A drain facility with the necessary easement must be provided to maintain area drainage. The street vacation is conditioned upon the petitioner obtaining and bonding for an engineering permit to construct the drain facility. The drain easement will be granted on the proposed Parcel Map (TM-82-0483).

In conjunction with the street vacation action, City staff participated with CalTrans and the University of California in a Transportation Task Force to identify mitigating measures for the traffic impacts generated by the parking facility. The Task Force recommendations, which are incorporated in the EIR, require the state to widen Hotel Circle North and the south frontage road of

I-8 west of the Presidio overcrossing. In addition, a public improvement permit has been issued to improve Bachman Place to two-lane collector street standards south of Arbor Drive. CalTrans and the University will share the costs of all street improvements. There will be no City participation.

Staff has concluded that the right-of-way to be vacated is no longer needed for present or prospective public use and can be summarily vacated conditioned upon the approval and recordation of Parcel Map (TM-82-0483) and the issuance of an engineering permit to construct the drain facility cited above. This application was processed in accordance with Council Policy 600-15.

**FILE LOCATION:**

STRT J-2467 and DEED F-1793

**COUNCIL ACTION:** (Tape location: F086-157).

**MOTION BY GOTCH TO ADOPT.** Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-not present, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

**ADDITIONAL BUSINESS:** During consideration of this item, Council Members Gotch and Mitchell requested clarification regarding the minimum setback requirements for sidewalk cafes. The City Manager was directed to check and verify whether the Council's previous directive was for a six-foot or an eight-foot setback requirement for sidewalk cafes, and notify Council Members Gotch's and Mitchell's offices so that the matter can be brought back to Council for further clarification if necessary.

**ITEM-201: (R-83-1199) CONTINUED TO MARCH 28, 1983**

(Continued from the meetings of February 22, 1983, February 28, 1983 and March 7, 1983; last continued at the City Manager's request.)

Approving the transfer of Capital Outlay Funds in the amount of \$530,400 identified in CIP-52-257 to the San Diego Redevelopment Agency for redevelopment projects in the Centre City Area; authorizing and directing the City Auditor and Comptroller to transfer such funds to the Agency; such contributions to the Agency are to be recorded as interest bearing loans to the Agency, repayable from tax increment revenues or other revenues; in the event that the Agency desires to issue bonds, notes, or other instruments of indebtedness of the Agency to carry out these redevelopment projects, then any indebtedness of the Agency to the City, including any interest accrued thereon, shall be deemed not to be a first pledge of tax increment allocations received by the

Agency pursuant to Health and Safety Code Section 33670; any indebtedness of the Agency to the City, including any interest accrued thereon shall be subordinate to any pledge of tax increments to bondholders or the holders of other such instruments of indebtedness.

(Centre City Community Planning Area. District-8.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A081-093).

MOTION BY MURPHY TO CONTINUE TO MARCH 28, 1983, AT CITY MANAGER

BLAIR'S REQUEST. Second by Martinez. Passed by the following vote:  
Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea,  
Struiksma-yea, Gotch-yea, Murphy- yea, Martinez-yea, Mayor-vacant.

ITEM-202: (R-83-1399) ADOPTED AS RESOLUTION R-258122

Authorizing the execution of an encroachment agreement with A.L. Rodriguez.

(Located at the southeast corner of Prospect Street and Girard Avenue. La Jolla Community Planning Area. District-1.)

CITY MANAGER REPORT:

A.L. Rodriguez proposes the construction of a three story structure with underground parking on the southeast corner of Prospect Street and Girard Avenue. The encroachment agreement will permit the construction of an underground garage, transformer vault, building foundations, sidewalk pavers and tree planters which will encroach in, under and upon the public right-of-way of those portions of Prospect Street and an unnamed alley. The underground garage extends into the public right-of-way of Prospect Street out to the curb. The depth of the garage below the curb is three feet. The reason this project is before Council is because Council Policy 700-18 allows the City Engineer to approve the encroachment only if the garage is at least three feet behind the curb. Thus, because the underground garage is constructed out to the curb, the proposed encroachment requires Council approval.

The proposed encroachment agreement between A.L. Rodriguez and the City of San Diego sets forth conditions including detail plan checking, liability coverage, and maintenance responsibility. Agreements have been approved by the City Attorney and have been signed by A.L. Rodriguez, owner-developer. Council approval is recommended.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: E299-319).

MOTION BY JONES TO ADOPT. Second by Struiksmma. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksmma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-203: (R-83-1422) ADOPTED AS RESOLUTION R-258123

Approving Phase II of the Local Arts Plan, as submitted by COMBO to the California Arts Council and authorizing execution of a grant contract with the California Arts Council.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: E320-327).

MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksmma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-204: (R-83-1120) TRAILED AS UNFINISHED BUSINESS TO TUESDAY, MARCH 22, 1983

(Continued from the meetings of January 3, 1983 and February 7, 1983; last continued at Council Member Mitchell's request.)

Authorizing the use of City Forces to perform all the work to install street lighting systems on Pomerado Road and Rios Road, Pomerado Road south of Rancho Bernardo Road, Sintonte Drive north of Ranch House Road, Bernardo Oaks Drive northeast of Francisco Drive, La Jolla Scenic Drive South and Soledad Mountain Road, La Jolla Shores Drive and La Jolla Shores Lane, pursuant to the recommendation of the City Manager and submission of estimates by him indicating that said work can be done by the City Forces more economically than if let by contract; cost of said work shall not exceed \$22,500; authorizing the expenditure of \$22,500 from Capital Outlay Fund 30245, CIP-52-293, Installation of City-owned Street Lights, for the above purpose.

(La Jolla and Rancho Bernardo Community Areas. District-1.)

CITY MANAGER REPORT:

The proposed project will install City-owned safety street lights in areas with underground utilities that do not have sufficient street lights to satisfy current minimum City lighting standards including but not limited to the following locations: Pomerado Road and Rios Road; Pomerado Road south of Rancho Bernardo Road; Sintonte

Drive north of Ranch House Road; Bernardo Oaks Drive northeast of Francisco Drive; La Jolla Scenic Drive South and Soledad Mountain Road; and La Jolla Shores Drive and La Jolla Shores Lane. This relatively small project is scattered over a wide area of the City and can be done more economically by use of City Forces. All of the street lights to be installed will be low pressure sodium in accordance with Council direction.

FILE LOCATION:

MEET

ITEM-205:

19830321

Two actions relative to the issuance of San Diego Industrial Development Revenue Bonds for San Diego Gas and Electric Co.:  
(See City Manager Report CMR-83-66.)

Subitem-A: (O-83-187) INTRODUCED, TO BE ADOPTED APRIL 4, 1983

Introduction of an Ordinance authorizing one or more agreements with San Diego Gas and Electric Company and one or more trust agreements with a trustee or trustees to be selected in connection with the issuance of City of San Diego Industrial Development Revenue Bonds (San Diego Gas and Electric Company), in an aggregate principal amount not to exceed \$300 million.

(Six votes required, pursuant to Section 99 of the City Charter.)

Subitem-B: (R-83-1396) ADOPTED AS RESOLUTION R-258124

Authorizing issuance of one or more series of City of San Diego Industrial Development Revenue Bonds (San Diego Gas and Electric Company) in an aggregate principal amount not to exceed \$300 million; approving the proposed forms of bond documentation; approving the filing of a validation action by bond counsel; authorizing the execution of the bonds and supporting documentation.

CITY MANAGER REPORT:

The City's Industrial Development Bond Ordinance enables issuance of up to \$375 million of bonds for energy projects. The San Diego Gas and Electric Company has submitted applications for up to \$300 million of bond financing for the eastern supply transmission line, and for additions and improvements to the Company's existing plan. City Manager Report CMR-83-66 of March 2, 1983 provides an evaluation and recommends that preparations for the bond issue proceed. The proposed ordinance and resolution would be the final

actions required by the City Council. The proposed ordinance authorizes the loan and trust agreements and has been noticed for public hearing as required by Section 99 of the City Charter. One or more loan agreements and one or more indentures with one or more trustees would be authorized. The proposed resolution authorizes issuance of one or more series of bonds, not to exceed \$300 million, approves the forms and execution of bond documentation, and authorizes filing of an action to validate the financing and the proceedings. Flexibility as to types of security or collateral is provided in order to accommodate market conditions.

The bonds would have maturity dates of not more than 40 years. Merrill, Lynch, Pierce, Fenner and Smith would be lead underwriter. The firms of Orrick, Herrington and Sutcliffe and Winthrop, Stimson, Putnam and Roberts are bond counsel. Payment of principal and interest would be from loan payments by San Diego Gas and Electric Company. The bond indenture stipulates that "neither the faith and credit nor the taxing power of the City is pledged to the payment of principal, interest, or other costs incident thereto."

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E151-298).

MOTION BY MARTINEZ TO INTRODUCE SUBITEM-A AND ADOPT SUBITEM-B.

Second by Struiksma. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-S400: (R-83-1412) ADOPTED AS RESOLUTION R-258125

Authorizing the execution of an agreement with American La France, rescinding an earlier agreement for the purchase of a 100-foot rear mounted aerial ladder fire truck with water system, Bid-3860, Purchase Order No. 12205.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A099-150)

CONSENT MOTION BY MITCHELL TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-S401: (R-83-1451) ADOPTED AS RESOLUTION R-258126

Authorizing the negotiation of a three-year option and a proposed lease agreement with Rancho Bernardo Recreation Council, Inc., to provide for utilization by the Recreation

Council of a portion of Water Utilities-owned property in the Rancho Bernardo area for the construction and operation of a Performing Arts Center.

(See City Manager Report CMR-83-83. Rancho Bernardo Community Area. District-1.)

COMMITTEE ACTION: Initiated by PFR on 3/16/83. Recommendation to adopt the Resolution. Districts 1, 6, 7 and 8 voted yea. District 4 not present.

COMMITTEE REPORT:

On March 16, 1983, the Public Facilities and Recreation Committee approved the concept of an option to lease and lease for the use of approximately 30 acres of Water Utilities land in the Rancho Bernardo area. If this action is approved, the City Manager will negotiate a 3-year option and 15-year lease with mutually acceptable terms and conditions.

FILE LOCATION:

LEAS Rancho Bernardo Recreation Council, Inc.

COUNCIL ACTION: (Tape location: A099-150).

CONSENT MOTION BY MITCHELL TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-S402: (R-83-1432) ADOPTED AS RESOLUTION R-258127

Authorizing the City Manager to submit an application for the Land and Water Conservation Fund Program (FY 83) funding for Mission Beach Park and Canyonside Community Park; authorizing the City Manager or his representative to perform all necessary acts to secure the funds for this project.

(See City Manager Report CMR-83-82. Penasquitos East and Mission Beach Community Areas. Districts-1 and 6.)

COMMITTEE ACTION: Reviewed by PFR on 3/16/83. Recommendation to adopt the Resolution. Districts 1, 6, 7 and 8 voted yea. District 4 not present.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A099-150).

CONSENT MOTION BY MITCHELL TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-S403: (R-83-1450) ADOPTED AS RESOLUTION R-258128

Authorizing and directing the City Manager to permit the Kearny High School Swim Team Booster Club to use the Kearny

Mesa Community Park swimming pool from March 21, 1983 to May 20, 1983, 2 hours per day, 5 days per week, on a one-time basis only, at a cost of \$1.00 per participant per day.

(See City Manager Report CMR-83-85.)

COMMITTEE ACTION: Initiated by PFR on 3/16/83. Recommendation to adopt the Resolution. Districts 1, 6, 7 and 8 voted yea. District 4 not present.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A099-150).

CONSENT MOTION BY MITCHELL TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, District 3-vacant, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-S404: (O-83-46 Rev.) TRAILED AS UNFINISHED BUSINESS TO TUESDAY, MARCH 22, 1983

(Continued from the meeting of March 14, 1983 at the City Manager's request, for proposed amendments.)

Introduction of an Ordinance amending Chapter VI, Article 3 of the San Diego Municipal Code by amending Section 63.02.8 to prohibit glass containers used for carrying or containing any liquid for drinking purposes in City parks, except in locations where such containers are permitted under the terms of a lease, operating agreement or permit.

(See City Manager Report CMR-83-407.)

COMMITTEE ACTION: Reviewed by PFR on 1/5/83. Recommendation to introduce the Ordinance. Districts 1, 4, 6, 7 and 8 voted yea.

(First introduced on 2/28/83. Council voted 6-0. Districts 1 and 5 not present. Mayor vacant.)

NOTE: Since its introduction, the ordinance has been amended and is now being re-introduced.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: F180-183).

ITEM-CS-1: (R-83-1466) ADOPTED AS RESOLUTION R-258129

A Resolution adopted by the City Council in Closed Session on March 22, 1983:

Authorizing the City Manager to pay the total sum of \$6,967.76 in settlement of each and every claim against the City of San Diego, its agents and employees, resulting from property damage to Allstate Insurance Company as subrogee for



Jerome Sturn. Authorizing the City Auditor and Comptroller to issue one check in the amount of \$6,967.76 payable to ALLSTATE INSURANCE COMPANY, and in full settlement of all claims as subrogee for Jerome Sturn.

FILE LOCATION:  
MEET

ITEM-CS-2: (R-83-1470) ADOPTED AS RESOLUTION R-258130

A Resolution adopted by the City Council in Closed Session on March 22, 1983:

Authorizing the City Manager to pay the total sum of \$16,200 in settlement of Superior Court Case No. 475627, George\_Tajti vs. The City of San Diego, its agents, and employees, resulting from personal injuries to George Tajti. Authorizing the City Auditor and Comptroller to issue one check in the amount of \$16,200, payable to "George Tajti and his attorney, George Benedict", in full settlement of the lawsuit and of all claims.

FILE LOCATION:  
MEET

ADJOURNMENT:

By common consent, the meeting was adjourned by Deputy Mayor Cleator at 6:00 p.m. to meet in Closed Session on Tuesday, March 22, 1983 at 8:30 a.m. in the twelfth floor conference room regarding pending litigation.

FILE LOCATION:  
MINUTES